IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.K.DENESAN

FRIDAY, THE 23RD FEBRUARY 2007 / 4TH PHALGUNA 1928

WP(C).No. 6233 of 2007(P)

PETITIONER:

P.P. KUNHIKRISHNAN,
PULIYULLA PARAMBATH HOUSE,
P.O.KODIYURA, VIA.KALLACHI,
KOZHIKODE.
(L.D.CLERK, STATIONERY OFFICE, KOZHIKDE
HIGHER EDUCATION DEPT.)

BY ADV. SRI.K.D.BABU
SRI.T.VENUGOPALAN (ALUVA)

RESPONDENTS:
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1. GOVERNMENT OF KERALA, REPRESENTED BY
THE PRINCIPAL SECRETARY, HIGHER EDUCATION
DEPARTMENT, GTOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM.

2. CONTROLLER OF STATIONERY
STATIONERY DEPARTMENT, THIRUVANANTHAPURAM-695 033.

3. ASSISTANT CONTROLLER OF STATIONERY
STATIONERY OFFICE, KOZHIKODE-673 005.

BY GOVT. PLEADER SHRI. BIJOY CHANDRAN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 23/02/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.K.DENESAN, J.

WP(C)No. 6233 OF 2007

Dated this the 23rd February, 2007.

JUDGMENT

The petitioner is an Upper Division Clerk in the Stationery Department. He had availed leave for quite some time. On the expiry of the leave, he requested to permit him to join duty. Inspite of that, there was delay in issuing the posting orders. Hence he could not work for the period from 4.10.97 to 9.12.98. He requested that the above period may be treated as duty and granted consequential benefits. But the second respondent passed Ext.P12 order rejecting the request of the petitioner. Feeling aggrieved, he filed representations before the first respondent. But there is no response. Ext.P13 representation filed by him on 16.6.2003 and Ext.P14 filed on 14.4.2004 remain unanswered. In the circumstances, he has approached this Court.

2. Counsel for the petitioner submits that unless directions are issued by this Court, the first respondent is not likely to consider the request of the petitioner.

3. Heard the Govt. Pleader also.

4. In the circumstances, I feel that the first respondent shall be directed to pass appropriate orders on Exts.P13 and P14. Hence the writ petition is disposed of

directing the first respondent to consider Exts.P13 and P14 in which the legality of Ext.P12 is under challenge. Needless to state that the claim of the petitioner shall be considered in the light of relevant Government Orders. Decision shall be taken as early as possible, in any event, within six weeks from the date of receipt of a copy of the judgment.

The petitioner shall produce a copy of the judgment and a copy of the writ petition before the first respondent, for compliance.

K.K.DENESAN
Judge

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